

Amendments to the Drawings:

Please add the following new drawings, Figures 9 and 10, after Figure 8. The attached new sheets of drawings includes Figures 9 and 10 to be added.

Attachment: New Sheets

REMARKS/ARGUMENTS

The Amendment to page 1 simply updates this paragraph to reflect the issuance of the immediate parent application as United States Patent No. 6,692,751 B1 and to delete reference to prior applications which do not support the subject matter of the new claims submitted herein, as permitted by Manual of Patent Examining Procedure Rev. 3 201.11 at page 200-67.

The Amendment after page 7, line 30 is based, verbatim, on the disclosure contained in abandoned United States Patent Application Serial No. 07/573,643, filed August 27, 1990 at page 6, line 23 through page 7, line 28 thereof except that the Figures have been re-numbered to make the numbers run consecutively with the Figures already appearing in the instant patent application.

The Amendment after the paragraph ending on page 43, line 15 is, verbatim, as it appears in the above-mentioned United States Patent Application Serial No. 07/573,643 at page 37, line 15 through page 73, line 5 except for the re-numbering of the Examples and the Figures for consistency sake and to make the Examples run consecutively with the Examples already appearing in the instant patent application.

The Amendment to incorporate Figures 9 and 10 is based exactly on Figures 1 and 2 of the above-mentioned United States Patent Application Serial No. 07/573,643.

The text and figures of the amendment to the Specification just discussed were presented in their entirety in United States Patent Application Serial No. 08/272,271 filed July 8, 1994, both of which, in turn, were incorporated by reference in the immediate parent Application Serial No. 08/931,855 which has become United States Patent No. 6,692,751 B1, as stated above, and all of these prior applications were incorporated by reference in the instant patent application at the time of filing on October 1, 2003.

The Declaration of Joseph E. Mueth which includes the relevant file histories is filed herewith and provides further details.

The amendments to add materials incorporated by reference is in accord with Manual of Patent Examining Procedure, Rev. 3, 201.06(c) at page 200-26; Manual of Patent Examining Procedure 608.01 (p) and subsequent Revs. 1 to 3, inclusive; Ex parte Maziere, 27 USPQ 2d 1703 (PTOBAI 1993), cited in Manual of Patent Examining Procedure 608.01(p); and Chisum, Section 13.04 at page 13-48.

It is to be noted that 'NANBV" and 'HCV" are interchangeable terms and are used interchangeably in the Specification and claims as amended.

The pending claims are Claim 102 to Claim 111.


The new claims are specifically supported by Example 15 which discloses an immunoassay in which NANBV antibody is detected at an early stage using a capsid antigen.

No new matter is introduced by this Amendment.

An action on the merits is requested.

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Respectfully submitted,



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